23-10444-dsj Doc 1 Filed 03/23/23 Entered 03/23/23 17:41:13 Main Document

| Fill in this information t | to identify the case: | |
|----------------------------|--------------------------------|--------------------|
| United States Bankruptcy | y Court for the: | |
| Southern | _ District of New York (State) | |
| Case number (If known): | (0.0.0) | _ Chapter <u>7</u> |
| | | |

Official Form 205

Involuntary Petition Against a Non-Individual

12/15

Use this form to begin a bankruptcy case against a non-individual you allege to be a debtor subject to an involuntary case. If you want to begin a case against an individual, use the *Involuntary Petition Against an Individual* (Official Form 105). Be as complete and accurate as possible. If more space is needed, attach any additional sheets to this form. On the top of any additional pages, write debtor's name and case number (if known).

| Pá | art 1: Identify the Chapte | er of the Bankruptcy Code U | Inder Whi | ch Petition I | ls Filed | | | |
|----|---|-------------------------------|-----------|---------------|-----------------------|---------------------------------------|---------------|----------|
| 1. | Chapter of the | Check one: | | | | | | |
| | Bankruptcy Code | ☑ Chapter 7 | | | | | | |
| | | ☐ Chapter 11 | | | | | | |
| Pá | art 2: Identify the Debtor | | | | | | | |
| 2. | Debtor's name | Global Brokerage, Inc. | | | | | | |
| 3. | Other names you know the debtor has used in the last 8 years | FXCM Inc. | | | | | | |
| | Include any assumed names, trade names, or doing business as names. | | | | | | | |
| 4. | Debtor's federal Employer Identification Number (EIN) | ☑ Unknown | | | | | | |
| _ | Debtor's address | Principal place of business | | | Mailing a | ddress, if different | | |
| 5. | Debior's address | | | | | | | |
| | | 55 Water Street Number Street | | | Number | Street | | |
| | | | | | | | | |
| | | | | | P.O. Box | | | |
| | | New York | NY | 10041 | City | | State | ZIP Code |
| | | City | State | ZIP Code | City | | State | ZIP Code |
| | | | | | Location principal | of principal assets place of business | s, if differe | ent from |
| | | New York County | | | | 0 | | |
| | | County | | | Number | Street | | |
| | | | | | | | | |
| | | | | | City | | State | ZIP Code |

23-10444-dsj Doc 1 Filed 03/23/23 Entered 03/23/23 17:41:13 Main Document Pg 2 of 22

Global Brokerage, Inc. Debtor Case number (if known) https://ir.globalbrokerage.info/ 6. Debtor's website (URL) Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP)) 7. Type of debtor Partnership (excluding LLP) Other type of debtor. Specify: Type of debtor's Check one: **business** ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A)) ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B)) Railroad (as defined in 11 U.S.C. § 101(44)) ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A)) ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6)) ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3)) None of the types of business listed. Unknown type of business. 9. To the best of your ☐ No knowledge, are any Yes. Debtor Global Brokerage Holdings, LLC ___ Relationship __Wholly-owned subsidiary bankruptcy cases pending by or against District SDNY Date filed Case number, if known any partner or affiliate MM / DD / YYYY of this debtor? Relationship District Date filed Case number, if known MM / DD / YYYY Part 3: **Report About the Case** 10. Venue Check one: Over the last 180 days before the filing of this bankruptcy, the debtor had a domicile, principal place of business, or principal assets in this district longer than in any other district. ☐ A bankruptcy case concerning debtor's affiliates, general partner, or partnership is pending in this district. Each petitioner is eligible to file this petition under 11 U.S.C. § 303(b). 11. Allegations The debtor may be the subject of an involuntary case under 11 U.S.C. § 303(a). At least one box must be checked: The debtor is generally not paying its debts as they become due, unless they are the subject of a bona fide dispute as to liability or amount. ☐ Within 120 days before the filing of this petition, a custodian, other than a trustee, receiver, or an agent appointed or authorized to take charge of less than substantially all of the property of the debtor for the purpose of enforcing a lien against such property, was appointed or took possession.

12. Has there been a

transfer of any claim

against the debtor by or to any petitioner?

✓ No

Rule 1003(a).

☐ Yes. Attach all documents that evidence the transfer and any statements required under Bankruptcy

23-10444-dsj Doc 1 Filed 03/23/23 Entered 03/23/23 17:41:13 Main Document Pg 3 of 22

| Debtor | Global Brokerage, Inc. | Case number (if known) |
|--------|------------------------|---------------------------------------|
| | Namo | · · · · · · · · · · · · · · · · · · · |

| 13. Each petitioner's claim | Name of petitioner | Nature of petitioner's claim | Amount of the claim above the value of any lien |
|-----------------------------|--|--|---|
| | One or more funds or accounts managed, advised, or controlled by Wolverine Asset Management, LLC | 7.00% Secured PIK Notes; see Statement filed herewit | h \$Not less than \$18.600 |
| | Craig Carlozzi | 7.00% Secured PIK Notes; see Statement filed herewit | h \$ Not less than \$18,600 |
| | Ryan Goldman | 7.00% Secured PIK Notes; see Statement filed herewi | th\$ Not less than \$18,600 |
| | | Total of petitioners' claims | \$Not less than \$55,800 |
| | | | |

If more space is needed to list petitioners, attach additional sheets. Write the alleged debtor's name and the case number, if known, at the top of each sheet. Following the format of this form, set out the information required in Parts 3 and 4 of the form for each additional petitioning creditor, the petitioner's claim, the petitioner's representative, and the petitioner's attorney. Include the statement under penalty of perjury set out in Part 4 of the form, followed by each additional petitioner's (or representative's) signature, along with the signature of the petitioner's attorney.

Part 4:

Request for Relief

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Petitioners request that an order for relief be entered against the debtor under the chapter of 11 U.S.C. specified in this petition. If a petitioning creditor is a corporation, attach the corporate ownership statement required by Bankruptcy Rule 1010(b). If any petitioner is a foreign representative appointed in a foreign proceeding, attach a certified copy of the order of the court granting recognition.

I have examined the information in this document and have a reasonable belief that the information is true and correct.

| Petitioners or Petitioners | s' Representative | | Attorneys | | |
|---|-----------------------------|--------------------------|---|-------------------------------|-------------------|
| Name and mailing addre Wolverine Asset Manager accounts managed, advise Name 175 W. Jackson Blvd., Sui | ed, or controlled thereb | | Robert J. Stark Printed name Brown Rudnick LLP Firm name, if any Seven Times Square | | |
| <u>Chicago</u> City | <u>IL</u> State | <u>60604</u> ZIP Code | Number Street | | |
| City | State | Zii Code | New York | NY | 10036 |
| Name and mailing addre | ss of petitioner's rep | resentative, if any | City | State | ZIP Code |
| Name | | | Contact phone 212-209-4 | 800_ _{Email} _rstark | @brownrudnick.com |
| Number Street | | | Bar number 2739035 | | |
| City | State | ZIP Code | State NY | | |
| I declare under penalty of | perjury that the forego | ing is true and correct. | | | |
| Executed on MM / DD / YY | //YY | | Robert Stark Robert Stark (Mar 19, 2023 19:58 EDT) Signature of attorney | | |
| Signature of petitioner or repr | esentative, including repre | esentative's title | Date signed Mar 19, 202 MM / DD / Y | | |

23-10444-dsj Doc 1 Filed 03/23/23 Entered 03/23/23 17:41:13 Main Document Pg 4 of 22

| | Name | | | C. | ise number (# known) | | |
|---|--|---|---|---|---|--|---|
| Each p | etitioner's claim | Name of petition | oner | Nati | ure of petitioner's cial | no de los la come de muser de los cambres de | Amount of the claim above the value of any lien |
| | | | ds or accounts managed, ad set Management, LLC | vised, or controlled .7.00% | Secured PIK Notes; see Sta | tement filed herewith | Not less than \$18,600 |
| | | Craig Carlozzi | | 7.00% | Secured PIK Notes; see St | tement filed herewit | Not less than \$18,600 |
| | | Ryan Goldman | | 7.009 | 6 Secured PIK Notes; see St | atement filed herewit | h \$ Not less than \$18,600 |
| | | | | | Total of petitioners | ' claims | \$ Not less than \$55,800 |
| stateme along w | nal petitioning creditor, ent under penalty of per vith the signature of the Request for Relief | rjury set out in Pa | art 4 of the form, fol | | | | |
| | NG Bankruptcy fraud is 0 or imprisonment for up | | | | | se can result in t | înes up to |
| petitioning foreign ro I have ex | ers request that an order ng creditor is a corporation representative appointed examined the information rers or Petitioners' Repi | on, attach the corp in a foreign proce in this document a | orate ownership state eding, attach a certifi | ement required by B ed copy of the order le belief that the info | ankruptcy Rule 1010 of the court granting | (b). If any petition recognition. | |
| | | | | Attornevs | | | |
| Wolverin | nd mailing address of p the Asset Management, L s managed, advised, or co | petitioner LC (on behalf of t | | Robert J. S | tark | 44 | |
| Wolveri | ne Asset Management, I | petitioner LC (on behalf of t | | Robert J. S | | | |
| accounts Name | ne Asset Management, I | petitioner LC (on behalf of t | | Robert J. S Printed name Brown Ruc | lnick LLP | | |
| Wolvering accounts Name | ne Asset Management, I s managed, advised, or co | petitioner LC (on behalf of t | | Robert J. S Printed name Brown Ruc Firm name, if ar | lnick LLP | 4 | |
| Name 175 W. J Number Chicago | ne Asset Management, I. s managed, advised, or co Jackson Blvd., Suite 340 Street | petitioner LC (on behalf of footrolled thereby) | 60604 | Robert J. S Printed name Brown Ruc Firm name, if ar Seven Tim | dnick LLP ny es Square | | |
| Name 175 W. J | ne Asset Management, I. s managed, advised, or co Jackson Blvd., Suite 340 Street | petitioner LC (on behalf of to ontrolled thereby) | | Robert J. S Printed name Brown Ruc Firm name, if ar Seven Tim Number Street | dnick LLP ny es Square | | |
| Wolvering accounts Name 175 W. J Number Chicago City | ne Asset Management, I s managed, advised, or co Jackson Blvd., Suite 340 Street | Detitioner LC (on behalf of to ontrolled thereby) IL State | 60604 ZIP Code | Robert J. S Printed name Brown Ruc Firm name, if ar Seven Tim | dnick LLP ny es Square | NY State | 10036 ZIP Code |
| Name 175 W. J Number Chicago City | ne Asset Management, I. s managed, advised, or co Jackson Blvd., Suite 340 Street | Detitioner LC (on behalf of to ontrolled thereby) IL State | 60604 ZIP Code | Robert J. S Printed name Brown Ruc Firm name, if ar Seven Tim Number Street New York | dnick LLP ny es Square | State | ZIP Code |
| Wolvering accounts Name 175 W. J Number Chicago City | ne Asset Management, I s managed, advised, or co Jackson Blvd., Suite 340 Street | Detitioner LC (on behalf of to ontrolled thereby) IL State | 60604 ZIP Code | Robert J. S Printed name Brown Ruc Firm name, if ar Seven Tim Number Street New York City Contact phone | dnick LLP ny es Square at | State | ZIP Code |
| Name 175 W. J Number Chicago City Name ar | ne Asset Management, I s managed, advised, or co Jackson Blvd., Suite 340 Street | Detitioner LC (on behalf of to ontrolled thereby) IL State | 60604 ZIP Code | Robert J. S Printed name Brown Ruc Firm name, if ar Seven Tim Number Stree New York City Contact phone Bar number | Hnick LLP ny es Square et 212-209-4800 2739035 | State | ZIP Code |
| Wolvering accounts Name 175 W. J Number Chicago City Name an | ne Asset Management, I s managed, advised, or construction of the street | Detitioner LC (on behalf of to ontrolled thereby) IL State | 60604 ZIP Code | Robert J. S Printed name Brown Ruc Firm name, if ar Seven Tim Number Street New York City Contact phone | Hnick LLP ny es Square at 212-209-4800 | State | ZIP Code |
| Wolvering accounts Name 175 W. J Number Chicago City Name and Name City | ne Asset Management, I s managed, advised, or construction of the street | Example 2 State State | 60604 ZIP Code sentative, if any | Robert J. S Printed name Brown Ruc Firm name, if ar Seven Tim Number Stree New York City Contact phone Bar number | Hnick LLP ny es Square et 212-209-4800 2739035 | State | ZIP Code |
| Wolvering accounts Name 175 W. J. Number Chicago City Name and Number City | s managed, advised, or constraint of the street of the str | Example 2 State State | 60604 ZIP Code sentative, if any | Robert J. S Printed name Brown Ruc Firm name, if ar Seven Tim Number Stree New York City Contact phone Bar number | Hnick LLP ny es Square et 212-209-4800 2739035 | State | |
| Wolvering accounts Name 175 W. J. Number Chicago City Name and Number City I declare | s managed, advised, or constraint of the street of the str | Example 2 State State | 60604 ZIP Code sentative, if any | Robert J. S Printed name Brown Ruc Firm name, if ar Seven Tim Number Stree New York City Contact phone Bar number State | Hnick LLP ry es Square et | State | ZIP Code |

23-10444-dsj Doc 1 Filed 03/23/23 Entered 03/23/23 17:41:13 Main Document Pg 5 of 22

Debtor Global Brokerage, Inc.

Case number (if known)

| Craig Carlozzi | | | | |
|--|-----------------|-----------------------|---------|----------|
| Name | | Printed name | | |
| 38 Sterling Road | | Firm name, if any | | |
| Number Street | | | | |
| Wellesley MA City State ZII | 02482 P Code | Number Street | | |
| , | | | | |
| Name and mailing address of petitioner's representat | tive, if any | City | State | ZIP Code |
| | | Contact phone | Email | |
| Name | | Danasanahan | | |
| | | Bar number | | |
| Number Street | | State | | |
| City State ZII | P Code | | | |
| I declare under penalty of parium, that the foregoing is two | ue and correct | | | |
| I declare under penalty of perjury that the foregoing is tru | | × | | |
| Executed on MM / DD / YYYY | | | | |
| | | Signature of attorney | | |
| | | Date signed | | |
| signature of petitioner or representative, including representative | s's title | MM / DE |) /YYYY | |
| | | | | |
| | | | | |
| Name and mailing address of petitioner | | | | |
| Ryan Goldman | | | | |
| Name | | Printed name | | |
| 570 Lawrence Ave | | Firm name, if any | | |
| Number Street | | r inn name, ii any | | |
| 77 Cottleia | 07090 | Number Street | | |
| City State ZII | P Code | . ambor Succe | | |
| Name and mailing address of petitioner's representat | tive if any | City | State | ZIP Code |
| and maining address of petitioner's representat | a.ro, ii aily | Contact phone | Email | |
| Name | | 3011d0t p110110 | | |
| | | Bar number | | |
| | | | | |
| Number Street | | State | | |
| Number Street | | | | |
| | P Code | | | |
| City State ZII | | | | |
| City State ZII I declare under penalty of perjury that the foregoing is true 2/13/23 | ue and correct. | × | | |
| City State ZII | ue and correct. | Signature of attorney | | |
| City State ZII I declare under penalty of perjury that the foregoing is true Executed on 3/13/23 | ue and correct. | Signature of attorney | | |
| City State ZII I declare under penalty of perjury that the foregoing is true Exeguted on | ue and correct. | | | |

BROWN RUDNICK LLP

Seven Times Square New York, NY 10036 T: 212-209-4800 Robert J. Stark rstark@brownrudnick.com Andrew M. Carty acarty@brownrudnick.com

Counsel for Petitioning Creditors

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

AFFIDAVIT OF CRAIG CARLOZZI PURSUANT TO RULE 1003(A) OF THE FEDERAL RULES OF BANKRUPTCY PROCEDURE

I, Craig Carlozzi, being duly sworn, state the following under penalty of perjury:

1. I submit this affidavit on behalf of myself in connection with the above-captioned involuntary Chapter 7 cases (the "Bankruptcy Cases") filed against Global Brokerage, Inc. ("GLBR") and Global Brokerage Holdings, LLC ("Holdings," and, together with GLBR, the "Debtors"). I am familiar with the facts set forth herein through my own personal knowledge or through a review of documents related to the claims set forth herein against the Debtors. If

The Debtors in these cases are: Global Brokerage, Inc. and Global Brokerage Holdings, LLC. The Petitioning Creditors do not know the federal tax identification numbers of the Debtors. The Debtors' last known principal place of business is 55 Water Street, 50th Floor, New York, NY 10041. The last known address for the Debtors' board of directors is: Global Brokerage, Inc. Board of Directors, c/o General Counsel, 520 Madison Ave 18th Floor, New York, NY 10022.

23-10444-dsj Doc 1 Filed 03/23/23 Entered 03/23/23 17:41:13 Main Document Pa 7 of 22

called to testify in connection with these Bankruptcy Cases, the following would constitute my

testimony.

2. I hold claims against the Debtors consisting, as of the petition date, of not less

than \$1,225,343 in principal amount (including accrued PIK interest) of those certain 7.00%

Secured PIK Toggle Notes due 2023 (the "Notes") issued by GLBR, and guaranteed by

Holdings, pursuant to that certain indenture, dated as of February 8, 2018 (the "Indenture").

3. My holdings of the Notes were acquired in the open market, as reflected in the

attached documents. The consideration paid by me in connection with each purchase of the

Notes is also reflected in the attached documents.

4. I acquired the Notes for investment purposes and not for the purpose of

commencing these Bankruptcy Cases.

I swear under penalty of perjury that the foregoing is true and correct to the best

of my knowledge, information, and belief.

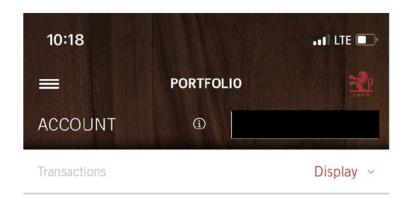
Dated: March 21, 2023

New York, New York

/s/ Craig Carlozzi

Craig Carlozzi

2



Purchase - Receipt versus payment

| ASSET | 7% GLB BROKERAGE 18/23 -PIK-DEF- |
|-----------|----------------------------------|
| ISIN CODE | US37891BAA70 |
| QUANTITY | 1,225,343.00 |
| PRICE | USD 0.09 |
| AMOUNT | USD -1,102.81 |
| | |

26 JAN 2023



Portfolio valuation as at 28 February 2023 in USD



| Quantity | Description | Market price Correction factor | Ret cost (USD) | ised (orig.) lised (USD) | Valuation (orig.) | Valuation (USD) | Weigh |
|-----------|---|-----------------------------------|-------------------------|-----------------------------|-------------------|-----------------|-------|
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| 1'225'343 | 7% Glb Brokerage 18/23 -Pik-Def- Mat. (prob.): 08.02.2023 Yld: 0.00% | 0.17% USI | 0.09% U D 1'102.81 U | (84.62%) USD (84.62%) | 2'036.05 USI | 2'036.05 | 0.0 |

BROWN RUDNICK LLP

Seven Times Square
New York, NY 10036
T: 212-209-4800
Robert J. Stark
rstark@brownrudnick.com
Andrew M. Carty
acarty@brownrudnick.com

Counsel for Petitioning Creditors

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

AFFIDAVIT OF WILLIAM RYAN GOLDMAN PURSUANT TO RULE 1003(A) OF THE FEDERAL RULES OF BANKRUPTCY PROCEDURE

- I, William Ryan Goldman, being duly sworn, state the following under penalty of perjury:
- 1. I submit this affidavit on behalf of myself in connection with the above-captioned involuntary Chapter 7 cases (the "Bankruptcy Cases") filed against Global Brokerage, Inc. ("GLBR") and Global Brokerage Holdings, LLC ("Holdings," and, together with GLBR, the "Debtors"). I am familiar with the facts set forth herein through my own personal knowledge or through a review of documents related to the claims set forth herein against the Debtors. If

The Debtors in these cases are: Global Brokerage, Inc. and Global Brokerage Holdings, LLC. The Petitioning Creditors do not know the federal tax identification numbers of the Debtors. The Debtors' last known principal place of business is 55 Water Street, 50th Floor, New York, NY 10041. The last known address for the Debtors' board of directors is: Global Brokerage, Inc. Board of Directors, c/o General Counsel, 520 Madison Ave 18th Floor, New York, NY 10022.

23-10444-dsj Doc 1 Filed 03/23/23 Entered 03/23/23 17:41:13 Main Document

Pg 11 of 22

called to testify in connection with these Bankruptcy Cases, the following would constitute my

testimony.

2. I hold claims against the Debtors consisting, as of the petition date, of not less

than \$71,231,903 in principal amount (including accrued PIK interest) of those certain 7.00%

Secured PIK Toggle Notes due 2023 (the "Notes") issued by GLBR, and guaranteed by

Holdings, pursuant to that certain indenture, dated as of February 8, 2018 (the "Indenture").

3. My holdings of the Notes were acquired in the open market, as reflected in the

attached documents. The consideration paid by me in connection with each purchase of the

Notes is also reflected in the attached documents.

4. I acquired the Notes for investment purposes and not for the purpose of

commencing these Bankruptcy Cases.

I swear under penalty of perjury that the foregoing is true and correct to the best

of my knowledge, information, and belief.

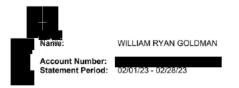
Dated: March 21, 2023

New York, New York

/s/ W. Ryan Goldman

William Ryan Goldman

2



Seaport Global Securities LLC

360 Madison Avenue-22nd Flr New York, NY 10017

PORTFOLIO SUMMARY

| Corporate Bonds (unrealized) | | | | | | | | | | |
|---|----------|---------------------|---------------------|---------------------------|---------------------------|-------------------|---------------------|--------------------|----------------------------|--|
| Acquire Description Da | | Total Cost Basis | Current Quantity | Estimated Market Price | Estimated Market Value | Profit/ (Loss) | Accrued Interest | Current Yield % | Estimated Annual Income | |
| ESC CB GNC HLDGS INC ESCROW BOND ZERO% 01/01/2021 | | | 8,090,000 | | | | | | | |
| ***GLOBAL BROKERAGE INC 03/5/2 | 20 .2500 | 14,401 | 5,760,575 | .110 | 6,337 | (8,064.81) | | | | |
| ***GLOBAL BROKERAGE INC 08/10/2 | 20 | | 201,620 | .110 | 222 | | | | | |
| ***GLOBAL BROKERAGE INC 11/30/2 | .0500 | 21,749 | 43,498,742 | .110 | 47,849 | 26,099.25 | | | | |
| ***GLOBAL BROKERAGE INC 01/11/2 | .0500 | 3,030 | 6,000,000 | .110 | 6,600 | 3,570.00 | | | | |
| ***GLOBAL BROKERAGE INC 02/9/2 | 21 | | 1,941,133 | .110 | 2,135 | | | | | |
| ***GLOBAL BROKERAGE INC 12/21/2 | .0700 | 4,620 | 6,600,046 | .110 | 7,260 | 2,640.02 | | | | |
| ***GLOBAL BROKERAGE INC 03/16/2 | | | 2,009,072 | .110 | 2,210 | | | | | |
| ***GLOBAL BROKERAGE INC 03/22/2 | | | 2,310,376 | .110 | 2,541 | | | | | |
| ***GLOBAL BROKERAGE INC 05/9/2 | | | 239,086 | .110 | 263 | | | **** | | |
| ***GLOBAL BROKERAGE INC 08/10/2 | | | 2,399,622 | .110 | 2,640 | | | | | |
| ***GLOBAL BROKERAGE INC 02/16/2 | .1090 | 420 | 381,631 | .110 | 420 | | | | | |
| GLOBAL BROKERAGE INC | | | 71,341,903 | .110 | 78,476 | 24,244.46 | | | | |

BROWN RUDNICK LLP

Seven Times Square
New York, NY 10036
T: 212-209-4800
Robert J. Stark
rstark@brownrudnick.com
Andrew M. Carty
acarty@brownrudnick.com

Counsel for Petitioning Creditors

| UNITED STA | ATES BANK | KRUPTCY | ' COURT |
|-----------------|-----------|---------|---------|
| SOUTHERN | DISTRICT | OF NEW | YORK |

| In re: GLOBAL BROKERAGE, INC.¹ Debtor. | Chapter 7 Case No. 23 |
|--|-----------------------|
| Debtor. | |
| | |

AFFIDAVIT OF KEN NADEL PURSUANT TO RULE 1003(A) OF THE FEDERAL RULES OF BANKRUPTCY PROCEDURE

I, Kenneth Nadel, being duly sworn, state the following under penalty of perjury:

1. I submit this affidavit on behalf of Wolverine Asset Management, LLC ("Wolverine") in connection with the above-captioned involuntary Chapter 7 cases (the "Bankruptcy Cases") filed against Global Brokerage, Inc. ("GLBR") and Global Brokerage Holdings, LLC ("Holdings," and, together with GLBR, the "Debtors"). I am familiar with the facts set forth herein through my own personal knowledge or through a review of documents

The Debtors in these cases are: Global Brokerage, Inc. and Global Brokerage Holdings, LLC. The Petitioning Creditors do not know the federal tax identification numbers of the Debtors. The Debtors' last known principal place of business is 55 Water Street, 50th Floor, New York, NY 10041. The last known address for the Debtors' board of directors is: Global Brokerage, Inc. Board of Directors, c/o General Counsel, 520 Madison Ave 18th Floor, New York, NY 10022.

related to the claims set forth herein against the Debtors. If called to testify in connection with these Bankruptcy Cases, the following would constitute my testimony.

- 2. I am the Chief Operating Officer of Wolverine. Wolverine manages, advises, and/or controls certain fund(s) that hold claims against the Debtors, and in such capacity is a petitioning creditor under the involuntary petitions. Such claims consist, as of the petition date, of not less than \$32,264,945 in principal amount (including accrued PIK interest) of those certain 7.00% Secured PIK Toggle Notes due 2023 (the "Notes") issued by GLBR, and guaranteed by Holdings, pursuant to that certain indenture, dated as of February 8, 2018 (the "Indenture").
- 3. Such Notes were acquired both: (i) pursuant to the *Prepackaged Plan of Reorganization of Global Brokerage, Inc. Pursuant to Chapter 11 of the Bankruptcy Code*, dated November 10, 2017 (Case No. 17-13532) (MEW) [ECF No. 10], which was confirmed by Order of the United States Bankruptcy Court for the Southern District of New York pursuant to the *Findings of Fact, Conclusions of Law, and Order (i) Approving Debtor's (a) Disclosure Statement,* (b) Solicitation of Votes and Voting Procedures and (c) Form of Ballots, and (ii) Confirming Prepackaged Chapter 11 Plan of Reorganization of Global Brokerage, Inc., dated January 22, 2018 (Case No. 17-13532) (MEW) [ECF No. 67]; and (ii) in the open market, as reflected in the attached documents. The consideration paid or received by the Petitioning Creditor in connection with each purchase of the Notes in the open market is also reflected in the attached documents.
- 4. The Notes were acquired for investment purposes and not for the purpose of commencing these Bankruptcy Cases.

23-10444-dsj Doc 1 Filed 03/23/23 Entered 03/23/23 17:41:13 Main Document Pg 15 of 22

I swear under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Dated: March 15, 2023 Chicago, Illinois

NAME: Kenneth Nadel

Chief Operating Officer

Wolverine Asset Management

23-10444-dsj Doc 1 Filed 03/23/23 Enterach 03/23/23 Enterach 03/23/23 Main Document

Pg 16 Ofe Rember 1 to September 30, 2019 Page 114 of 537

Account 106 - 02854

Deutsche Bank Securities Inc. 60 Wall Street, 13th Floor, New York, New York 10005

Portfolio Activity

(212) 250-5553

continued

Purchases and Sales

| | Settlement date | Activity | Туре | Quantity | Description | Unit price | Amount |
|---|-----------------|-----------|--------|-----------|--|------------|------------|
| | 09/10/2019 | Purchased | Short | 5,363 | | 28.5319 | 153,024.37 |
| m | 09/10/2019 | Sold | Margin | 1,110 - | | 6.07 | 6,736.00 |
| m | 09/10/2019 | Purchased | Margin | 628 | | 14.6974 | 9,230.88 - |
| m | 09/10/2019 | Purchased | Margin | 11,097 | | 5.8897 | 65,374.55 |
| m | 09/10/2019 | Purchased | Margin | 4,009 | | 10.8882 | 43,656.93 |
| m | 09/10/2019 | Sold | Margin | 2,478 - | | 10.93 | 27,080.25 |
| m | 09/10/2019 | Sold | Margin | 113 - | | 14.84 | 1,676.72 |
| m | 09/10/2019 | Sold | Margin | 7,646 - | | 36.50 | 279,061.55 |
| m | 09/10/2019 | Purchased | Margin | 1,050,000 | GLOBAL BROKERAGE INC DUE 02/08/2023 07.000% FA 08 ES:PBRKR /9266169821/2 AS OF 09/06/19 | 0.375 | 3,937.50 |
| | 09/10/2019 | Sold | Short | 934 - | | 20.11 | 18,781.51 |
| | 09/10/2019 | Sold | Short | 600 - | | 11.05 | 6,628.96 |

Portfolio Activity

continued

Purchases and Sales

| | Settlement date | Activity | Туре | Quantity | Description | Unit price | Amount |
|---|-----------------|-----------|--------|-----------|--|------------|--------------|
| m | 01/13/2021 | Sold | Margin | 15,000 - | | 44.6514 | 669,740.53 |
| | 01/13/2021 | Sold | Short | 767 - | | 9.0044 | 6,905.47 |
| m | 01/13/2021 | Purchased | Margin | 5,631,792 | GLOBAL BROKERAGE INC DUE 02/08/2023 07.000% FA 08 AVG PRICE SHOWN-DETAILS ON REQ ES:GBANY /9718109076/2 AS OF 01/11/21 | 0.05 | 2,844.05 - |
| | 01/13/2021 | Sold | Short | 10,000 - | | 151.6916 | 1,516,872.02 |
| m | 01/13/2021 | Purchased | Margin | 5,500 | | 5.5655 | 30,615.56 - |
| m | 01/13/2021 | Sold | Margin | 3,103 - | | 5.6258 | 17,453.37 |
| | 01/13/2021 | Sold | Short | 9,008 - | | 14.6855 | 132,275.02 |
| m | 01/13/2021 | Purchased | Margin | 19,999 | | 20.3942 | 407,882.63 - |
| | 01/13/2021 | Sold | Short | 10,000 - | | 12.5458 | 125,445.29 |
| | 01/13/2021 | Sold | Short | 6,500 - | | 122.45 | 795,907.41 |





Deutsche Bank AG Deutsche Bank AG 60 Wall Street, 13th Floor, New York, New York 10005 (212) 250-5553

23-10444-dsj Doc 1 Filed 03/23/23 Enterned 23/23/23 Enterned 23/23/23 Main Document Pg 18 of 22/2017 to February 28, 2018 Account 106 - 72854

Page 110 of 233

Portfolio Activity

continued

Purchases and Sales

| | Settlement date | Activity | Туре | Quantity | Description | Unit price | Amount |
|---|-----------------|-----------|--------|-----------|---|------------|--------------|
| m | 02/09/2018 | Sold | Margin | 2,925 - | | 12.4764 | 36,488.10 |
| m | 02/09/2018 | Sold | Margin | 708 - | | 33.9472 | 24,032.98 |
| m | 02/09/2018 | Sold | Margin | 2,000 - | | 43.14 | 86,275.20 |
| m | 02/09/2018 | Sold | Margin | 20,000 - | | 3.0657 | 61,283.08 |
| m | 02/09/2018 | Exchange | Margin | 2,951,937 | GLOBAL BROKERAGE INC 7.000 DUE 02/06/23 EVENT ID 1806999453 EXOF BANCS REF 118024089821 ENT 02/07/18 BCD 02/08/18 | 0.00 | 0.00 |
| m | 02/09/2018 | Purchased | Margin | 59 | | 53.8364 | 3,176.44 - |
| m | 02/09/2018 | Sold | Margin | 59 - | | 54.14 | 3,194.09 |
| m | 02/09/2018 | Purchased | Margin | 100 | | 8.65 | 865.15 - |
| m | 02/09/2018 | Purchased | Margin | 400 | | 60.78 | 24,312.60 - |
| m | 02/09/2018 | Sold | Margin | 843 - | | 60.7178 | 51,182.68 |
| m | 02/09/2018 | Purchased | Margin | 5,800 | | 22.54 | 130,740.70 - |

Goldman Sachs & Co. LLC

| Account No. | Taxpayer Id. | Statement Period | Page | |
|-------------|--------------|---------------------|----------|--|
| 7ETY | ON-FILE | 12/01/21 - 12/31/21 | 992/1324 | |

WOLVERINE FLAGSHIP FUND TRADING LIMITED C/O WOLVERINE ASSET MANAGEMENT 175 WEST JACKSON BLVD, STE 340

SETTLED SECURITIES PURCHASED

IL 60604

CHICAGO

Goldman Sachs & Co. LLC 200 West Street New York, NY 10282-2198

| DATE | BUY | DESCRIPTION | JOURNAL CODE | LOCAL CURRENCY | *SETTLEMENT *SETTLEMENT CURRENCY CCY CODE | BASE(USD) CURRENCY |
|---------------------|-----------------|---|--------------|-------------------|---|-----------------------|
| LOCAL CURRENCY: U.S | S. DOLLAR (USD) | | | | | • |
| Account: 7ETY | | | | | | |
| 12/23/2021 | 242 | @ PRICE 803.37400 | ВОТ | (194,416.75) | (194,416.75) USD | (194,416.75) |
| 12/23/2021 | 6,496 | @ PRICE 2.00476 | ВОТ | (13,029.42) | (13,029.42) USD | (13,029.42) |
| 12/23/2021 | 120 | @ PRICE 338.56100 | вот | (40,627.44) | (40,627.44) USD | (40,627.44) |
| 12/23/2021 | 500 | @ PRICE 26.16000 | вот | (13,080.50) | (13,080.50) USD | (13,080.50) |
| 12/23/2021 | 500 | @ PRICE 341.69670 | ВОТ | (170,848.85) | (170,848.85) USD | (170,848.85) |
| 12/23/2021 | 6,308,000 | GLOBAL BROKERAGE INC. @ PRICE .07000 7% 02/06/2023 | ВОТ | (4,420.60) | (4,420.60) USD | (4,420.60) |
| 12/23/2021 | 2,250 | @ PRICE 31.88499 | вот | (71,743.48) | (71,743.48) USD | (71,743.48) |
| 12/23/2021 | 5,000 | @ PRICE 28.50000 | BOT | (142,705.00) | (142,705.00) USD | (142,705.00) |
| 12/23/2021 | 2,000 | @ PRICE 142.90545 | вот | (285,812.91) | (285,812.91) USD | (285,812.91) |
| 12/23/2021 | 5,500 | @ PRICE 26.06327 | вот | (143,353.50) | (143,353.50) USD | (143,353.50) |
| 12/23/2021 | 44,400 | @ PRICE 388.03814 | ВОТ | (17,228,938.02) | (17,228,938.02) USD | (17,228,938.02) |
| 12/23/2021 | 900 | @ PRICE 32.89000 | вот | (29,601.90) | (29,601.90) USD | (29,601.90) |
| 12/23/2021 | 1,753 | @ PRICE 5.99118 | BOT | (10,504.29) | (10,504.29) USD | (10,504.29) |
| 12/23/2021 | 75,000 | @ PRICE 5.16818 | вот | (387,688.90) | (387,688.90) U\$D | (387,688.90) |
| 12/23/2021 | 500 | @ PRICE 127.92200 | ВОТ | (63,961.50) | (63,961.50) USD | (63,961.50) |
| 12/23/2021 | 500 | @ PRICE 132.26800 | ВОТ | (66,134.50) | (66,134.50) USD | (66,134.50) |

J.P.Morgan

23-10444-dsj Doc 1 Filed 03/23/23 Entered 03/23/23 17:41:13 Main Document

Pg 20 of 22

OFFICE SERVICING YOUR ACCOUNT

J.P. Morgan Securities LLC

383 Madison Avenue

New York, New York 10179

(212) 270-6000

WOLVERINE FLAGSHIP FUND

127 of 272

STATEMENT PERIOD February 1 - February 28,2018

Transaction Detail (continued)

ACCOUNT NUMBER 102-41971 M4F

LAST STATEMENT

January 31, 2018

| INVESTM | ENT ACTIV | /ITY (Continued) | | | | | | January 51, 2515 |
|--------------------------|---------------|----------------------|---|---------------------------|------------------------|-----------|--------------|------------------|
| SETTLEMENT DATE 02/09/18 | TRADE DATE | TRANSACTION EXCHANGE | DESCRIPTION | SYMBOL/CUSIP 302693AB2 | QUANTITY -9,132,000 | PRICE | DEBIT AMOUNT | CREDIT AMOUNT |
| 02/03/16 | | EXCHANGE | | 302033ND2 | -9,132,000 | | | |
| 02/09/18 | | EXCHANGE | GLOBAL BROKERAGE INC 7.000 DUE 02/06/23 5CFJLJ9 FROM 5BCQMZ6 MANDEXC@1 0109375014P/S | 37891BAA7 | 9,231,882 | | | |
| 02/09/18 | | JOURNAL | | 8LFDXS7 | 125 | | | |
| 02/09/18 | | JOURNAL | | 8LVGZS9 | 157 | | | |
| 02/12/18 | 02/08/18 | BOUGHT | | AFAM | 328 | 56.80000 | 18,630.89 | |
| 02/12/18 | 02/08/18 | BOUGHT | | AET | 3,000 | 179.71668 | 539,154.53 | |
| 02/12/18 | 02/08/18 | BOUGHT | | T | 15,700 | 38.00000 | 596,600.00 | |

BROWN RUDNICK LLP

Seven Times Square New York, NY 10036 T: 212-209-4800 Robert J. Stark rstark@brownrudnick.com Andrew M. Carty acarty@brownrudnick.com

Counsel for Petitioning Creditors

| UNITED STA | ATES BANK | KRUPTCY | COURT |
|------------|-----------|---------|-------|
| SOUTHERN | DISTRICT | OF NEW | YORK |

| In re: | Chapter 7 Case No. 23- |
|---|------------------------|
| GLOBAL BROKERAGE, INC. ¹ Debtor. | |

CORPORATE OWNERSHIP STATEMENT

Pursuant to Rules 1010(b) of 7007.1 of the Federal Rules of Bankruptcy Procedures, and Rule 1010-1 of the Local Bankruptcy Rules for the Southern District of New York, Wolverine Asset Management, LLC ("Wolverine"), as a petitioning creditor in the above-captioned Chapter 7 case, respectfully represents that as of the petition date:

- 1. Wolverine is not a publicly traded company.
- 2. Wolverine Holdings, L.P. owns 100% of the equity interests in Wolverine.

The Debtors in these cases are: Global Brokerage, Inc. and Global Brokerage Holdings, LLC. The Petitioning Creditors do not know the federal tax identification numbers of the Debtors. The Debtors' last known principal place of business is 55 Water Street, 50th Floor, New York, NY 10041. The last known address for the Debtors' board of directors is: Global Brokerage, Inc. Board of Directors, c/o General Counsel, 520 Madison Ave 18th Floor, New York, NY 10022.

23-10444-dsj Doc 1 Filed 03/23/23 Entered 03/23/23 17:41:13 Main Document Pg 22 of 22

Dated: March 16, 2023 Chicago, Illinois

By:// Kenneth Nadel

Chief Operating Officer